

SENATE BILL 2085
By Williams

AN ACT to amend Tennessee Code Annotated, Title 9,
Chapter 8, Part 3, relative to the Tennessee
claims commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 9-8-304, is amended by deleting the section in its entirety and by substituting instead the following:

(a) The claims commission, following consultation with the state treasurer, shall designate one commission employee to serve as administrative clerk to the commission. The administrative clerk, in consultation with the commission chair, shall schedule all meetings of the commission.

(b) The administrative clerk, in consultation with the commission chair, shall docket proceedings and schedule hearings on claims. Each claim shall be assigned to the appropriate commissioner for the grand division in which the wrongful act occurred or in which the claimant lives; provided, that the chair of the commission shall have the authority to assign cases arising in one grand division to a commissioner in another grand division if such is necessary to alleviate congestion, delay, or an imbalance in caseloads among grand divisions. Each claim shall be heard in the grand division in which the wrongful act occurred or in which the claimant lives. The commission shall follow the law established for trial courts concerning opening proceedings to the public.

(c) The administrative clerk, acting in periodic consultation with the commission chair, shall be responsible for the day-to-day management of the commission's staff and shall perform such other activities as may be required including, but not limited to,

reporting on the status of claims. In managing the day-to-day affairs of the commission, the administrative clerk shall periodically advise and consult with the state treasurer.

(d) For the purpose of uniformity, the commission, upon the request of two (2) members thereof, may sit en banc to hear and decide any matter for which there is a disagreement among two (2) or more of the commissioners.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.